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JC957 U.S. PTO

**UTILITY PATENT APPLICATION TRANSMITTAL  
(Small Entity)**

(Only for new nonprovisional applications under 37 CFR 1.53(b))

Docket No.  
Q040

Total Pages in this Submission

**TO THE ASSISTANT COMMISSIONER FOR PATENTS****Box Patent Application  
Washington, D.C. 20231**

Transmitted herewith for filing under 35 U.S.C. 111(a) and 37 C.F.R. 1.53(b) is a new utility patent application for an invention entitled:

**METHOD AND APPARATUS FOR INSERTION OF ELONGATE INSTRUMENTS WITHIN A BODY CAVITY**

and invented by:

**Paul Kurth, M.D.**If a **CONTINUATION APPLICATION**, check appropriate box and supply the requisite information:☐ **Continuation** ☐ **Divisional** ☐ **Continuation-in-part (CIP)** of prior application No.: \_\_\_\_\_

Which is a:

☐ **Continuation** ☐ **Divisional** ☐ **Continuation-in-part (CIP)** of prior application No.: \_\_\_\_\_

Which is a:

☐ **Continuation** ☐ **Divisional** ☐ **Continuation-in-part (CIP)** of prior application No.: \_\_\_\_\_

Enclosed are:

**Application Elements**

1. ☒ Filing fee as calculated and transmitted as described below
2. ☒ Specification having 35 pages and including the following:
  - a. ☒ Descriptive Title of the Invention
  - b. ☐ Cross References to Related Applications (if applicable)
  - c. ☐ Statement Regarding Federally-sponsored Research/Development (if applicable)
  - d. ☐ Reference to Microfiche Appendix (if applicable)
  - e. ☒ Background of the Invention
  - f. ☒ Brief Summary of the Invention
  - g. ☒ Brief Description of the Drawings (if drawings filed)
  - h. ☒ Detailed Description
  - i. ☒ Claim(s) as Classified Below
  - j. ☒ Abstract of the Disclosure

JC714 U.S. PTO

09/708150

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**Application Elements (Continued)**

3. ☒ Drawing(s) *(when necessary as prescribed by 35 USC 113)*  
a. ☐ Formal      b. ☒ Informal      Number of Sheets 2
4. ☒ Oath or Declaration  
a. ☒ Newly executed *(original or copy)*      ☐ Unexecuted  
b. ☐ Copy from a prior application (37 CFR 1.63(d)) *(for continuation/divisional application only)*  
c. ☒ With Power of Attorney      ☐ Without Power of Attorney  
d. ☐ DELETION OF INVENTOR(S)  
Signed statement attached deleting inventor(s) named in the prior application,  
see 37 C.F.R. 1.63(d)(2) and 1.33(b).
5. ☐ Incorporation By Reference *(usable if Box 4b is checked)*  
The entire disclosure of the prior application, from which a copy of the oath or declaration is supplied under Box 4b, is considered as being part of the disclosure of the accompanying application and is hereby incorporated by reference therein.
6. ☐ Computer Program in Microfiche
7. ☐ Genetic Sequence Submission *(if applicable, all must be included)*  
a. ☐ Paper Copy  
b. ☐ Computer Readable Copy  
c. ☐ Statement Verifying Identical Paper and Computer Readable Copy

**Accompanying Application Parts**

8. ☐ Assignment Papers *(cover sheet & documents)*
9. ☐ 37 CFR 3.73(b) Statement *(when there is an assignee)*
10. ☐ English Translation Document *(if applicable)*
11. ☐ Information Disclosure Statement/PTO-1449      ☐ Copies of IDS Citations
12. ☐ Preliminary Amendment
13. ☒ Acknowledgment postcard
14. ☒ Certificate of Mailing  
☐ First Class      ☒ Express Mail *(Specify Label No.):* EL608384489US

# UTILITY PATENT APPLICATION TRANSMITTAL (Small Entity)

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## Accompanying Application Parts (Continued)

15. ☐ Certified Copy of Priority Document(s) (if foreign priority is claimed)
16. ☒ Small Entity Statement(s) - Specify Number of Statements Submitted: 1
17. ☐ Additional Enclosures (please identify below):

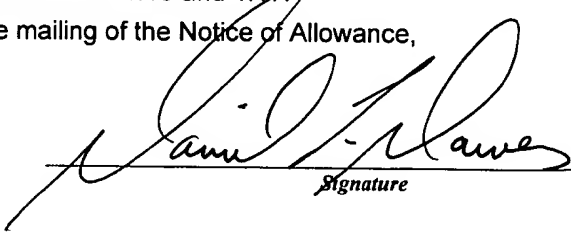
## Fee Calculation and Transmittal

### CLAIMS AS FILED

For	#Filed	#Allowed	#Extra	Rate	Fee
Total Claims	82	- 20 =	62	x \$9.00	\$558.00
Indep. Claims	7	- 3 =	4	x \$40.00	\$160.00
Multiple Dependent Claims (check if applicable) <input type="checkbox"/>					\$0.00
BASIC FEE					\$345.00
OTHER FEE (specify purpose)					\$0.00
TOTAL FILING FEE					\$1,063.00

- ☒ A check in the amount of **\$1,063.00** to cover the filing fee is enclosed.
- ☒ The Commissioner is hereby authorized to charge and credit Deposit Account No. **01-1960** as described below. A duplicate copy of this sheet is enclosed.
- ☐ Charge the amount of \_\_\_\_\_ as filing fee.
- ☒ Credit any overpayment.
- ☒ Charge any additional filing fees required under 37 C.F.R. 1.16 and 1.17.
- ☐ Charge the issue fee set in 37 C.F.R. 1.18 at the mailing of the Notice of Allowance, pursuant to 37 C.F.R. 1.311(b).

Dated:

  
Signature

CC: